THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

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W.P.No.28049 of 1996

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Between
K.Veerabhadra Rao and others ..Petitioners

AND

Bharat Dynamics Limited represented by its Chairman cum Managing Director and others ..Respondents

JUDGMENT

28.2.2007

THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

W.P.No.28049 of 1996

ORDER:

This writ petition has been instituted with a prayer as follows:

> "Hence, it is prayed that this Honourable Court in the interests of justice be pleased to issue an appropriate writ or order or direction more particularly one in the nature of writ of mandamus to declare as illegal and arbitrary the action of respondents in not regularizing the services of the petitioners in the post of Clerk/Assistant 'C' category from the date of their joining as casual Clerks in 1989 and fixing the salary and allowances in the scale of pay of Rs.650-20-850-22-1070 and revised as Rs.2,460/- from 1992 which is attached to the post and issue a consequential direction to regularize the petitioners from 1989 with all attendant benefits including seniority and payment of arrears etc., and pass such other or further order or orders as are deemed fit and proper in the circumstances of the case" .

Subsequently, on behalf of the first respondent, a detailed counter affidavit has been filed in which it has been asserted that the petitioners have in fact been absorbed into regular service of the first respondent organization pursuant to a settlement said to have been entered into with the recognized Trade Union during February, 1997. In terms of the settlement, since the writ petitioners have already been absorbed into the regular service of the first respondent organization,

the substantial grievance nurtured by the writ petitioners has been met with during the pendency of the writ petition.

If the writ petitioners still feel that their cause and claim for any benefits due to them for their past services prior to the absorption into the regular service is yet to be redressed, it is open to them to pursue the same by way of a representation to the Management which will be considered and decided in accordance with law, within 3 months.

With this the writ petition stands dismissed. No costs.

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NOOTY RAMAMOHAN RAO.J.

28.2.2007
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